

PATENT
Serial No. 10/529,358
Amendment in Reply to Final Office Action of May 10, 2006

REMARKS

This Amendment is being filed in response to the Final Office Action mailed May 10, 2006, which has been reviewed and carefully considered. Reconsideration and further examination in view of the following remarks and arguments are respectfully requested.

In the Final Office Action, the Examiner indicated that the title of the invention was not sufficiently descriptive, and required a new title. In response, the current title has been deleted and substituted with a new title in accordance with the Examiner's suggestion. Accordingly, withdrawal of the objection to the title is respectfully requested.

In the Final Office Action, claims 1-7 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,585,801 (Thurston). It is respectfully submitted that claims 1-7 are patentable over Thurston for at least the following reasons.

Thurston is directed to a sigma-delta converter/modulator having a limiter 7. As correctly noted by the Examiner on page 3, first paragraph of the Final Office Action, the Thurston limiter 7 "does not amplify." (Final Office Action, page 3, lines 3-4)

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In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 4, amongst other patentable elements, requires (illustrative emphasis provided):

an amplifier for controlling a weight associated with an output of each of the at least two parallel filters.

This feature is nowhere taught or suggested in Thurston. Accordingly, it is respectfully submitted that independent claims 1 and 4 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-3 and 5-7 should also be allowed at least based on their dependence from independent claims 1 and 4.

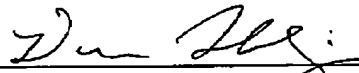
In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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It is believed that no additional fees or charges are currently due beyond the fee for the Request for Continued Examination (RCE) to be charged to the credit card as noted by the enclosed authorization. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to applicants' representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
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Enclosure: RCE Transmittal
Authorization to charge credit card \$790 for RCE fee

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